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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,635	09/23/2003	Keiji Kanota	450100-4804.1	2201

7590 10/05/2006

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EXAMINER

TRAN, DENISE

ART UNIT PAPER NUMBER

2185

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/668,635

**Applicant(s)**

KANOTA ET AL.

**Examiner**

Denise Tran

**Art Unit**

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 25,27-29,32,33 and 37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25,27-29,32,33 and 37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☒ Certified copies of the priority documents have been received in Application No. 09/261,335.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The applicant's amendment filed 9/5/06. Claims 25, 27-29, 32-33 and 37 are presented in the application. Claims 1-24, 26, 30-31, 34-36 and 38-53 have been cancelled.

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/5/06 has been entered.

3. Applicant's arguments with respect to claims above have been considered but are moot in view of the new ground(s) of rejection.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 25, 27-29, 32-33 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Sonohara et al., U.S. Patent No. 5,627,656, hereinafter Sonohara.

As per claims 25, 37, Sonohara teaches the use of an information recording/reproducing apparatus/method comprising:

Storing means including a plurality disc-shaped recording mediums (e.g., figs. 4-5, els. 1, 1a, 11-12, 18-19; col. 2, lines 15-20) which are arrangeable so as to have a logically unified first data area and a logically unified second data area (e.g. figures 7-8, data, header) for storing information signals therein;

Recording means for enabling continuous recording of a first information signal in the first data area and continuous recording of a second information signal in said second area (e.g. figures 7-8, data, header); and

Reproducing means for reproducing the information signals stored in said recording means (e.g., col. 7, lines 1-10);

Wherein said first data area is an AV data area, said first information signal is an AV information signal, said second data area is a memo data and the second information signal is a memo data information signal (e.g. figures 7-8, sound data image data, header or fig. 4, data file, header file);

Wherein said AV information signal and said memo data information signal are recorded in a ring storage structure (e.g. figures 7-8, sound data image data, header or fig. 4, data file, header file; col. 2, lines 15-20).

As per claims 27, 28, Sonohara shows said storage means includes a third data area for storing a third information signal which is audio data and an audio information signal (e.g. figures 7-8, sound data section 3).

As per claim 29, Sonohara teaches said disc-shaped recording mediums are hard disc drive (col. 2, lines 15-20 and 35-40).

As per claim 32, Sonohara teaches said disc-shaped recording mediums including a numbers of magnetic discs and the recording means includes inherently a magnetic head for recording temporally continuous data on said number magnetic discs (e.g. figures 7-8, sound data image data; col. 2, lines 15-20).

As per claims 33, it is an inherent limitation of Sonohara that the disk is logically unified in response to an actuating input from a user because an actuating input would be the user's command to start to record/reproduce the data.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Denise Tran whose telephone number is (571) 272-4189. The examiner can normally be reached on Monday, Thursday, and an alternate Friday, and an alternate Wed. from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sanjiv Shah can be reached on (571) 272-4098. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300746-7239 for regular communications and (571) 273-8300 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

*Deusepan*

D.T.  
9/29/06